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**OPEN MEETING ITEM**



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**MEMORANDUM**

**TO: THE COMMISSION**

Arizona Corporation Commission

**DOCKETED**

2001 JUL 10 P 3: 34

**FROM: Utilities Division**

JUL 10 2001

AZ CORP COMMISSION  
DOCUMENT CONTROL

**DATE: July 9, 2001**

DOCKETED BY	
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**RE: IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION F/K/A U S WEST COMMUNICATIONS, INC., FOR APPROVAL OF A LOCAL INTERCONNECTION AGREEMENT WITH AFFINITY NETWORK, INC. (DOCKET NOS. T-01051B-01-0472 AND T-02664A-01-0472)**

On June 11, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications, Inc., filed an application for approval of an Interconnection Agreement between Qwest and Affinity Network Services, Inc. ("Affinity"). The term of the Agreement shall be effective upon Commission approval and remain in effect until June 30, 2003. Upon expiration, the agreement shall remain in force and effect until terminated by either party on one hundred sixty (160) days written notice. The Agreement governs the terms and conditions under which Qwest will offer Interconnection services to Affinity.

The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation. This Agreement between Qwest and Affinity was voluntarily negotiated, without resort to arbitration.

Under the terms of the Agreement, Qwest will provide specified local exchange services for Interconnection, Resale, Collocation and Unbundled Network Elements to Affinity. Generally, Qwest services will be made available to Affinity for resale at a twelve (12) percent discount for residential customers and an eighteen (18) percent discount for business customers.

According to the 1996 Act and State Rule, the Commission must approve voluntarily negotiated interconnection and resale agreements if their provisions are non-discriminatory and in the public interest. Staff has reviewed the Agreement and finds it to be non-discriminatory and in the public interest. Qwest is offering the same terms and conditions of the Agreement to all other interested parties. The Agreement is in the public interest because it will act to further competition in the local exchange market in Arizona.

THE COMMISSION

July 9, 2001

Page 2

Since there are no grounds for rejection of the Agreement pursuant to Section 252(e)(2)(A) of the 1996 Act, Staff recommends that the Commission approve the Interconnection Agreement between Qwest and Affinity.

A handwritten signature in black ink, appearing to read "Deborah R. Scott". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Deborah R. Scott

Director

Utilities Division

DRS:EAA:bsl/MAS

ORIGINATOR: Erinn Andreasen

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL

Chairman

3 JIM IRVIN

Commissioner

4 MARC SPITZER

Commissioner

5  
6 IN THE MATTER OF THE APPLICATION )  
OF QWEST CORPORATION F/K/A U S WEST )  
7 COMMUNICATIONS, INC., FOR APPROVAL )  
OF A LOCAL INTERCONNECTION )  
8 AGREEMENT WITH AFFINITY NETWORK, )  
INC. )

DOCKET NOS. T-01051B-01-0472  
T-02664A-01-0472

DECISION NO. \_\_\_\_\_

ORDER

9  
10 Open Meeting

July 24 and 25, 2001

11 Phoenix, Arizona

12 BY THE COMMISSION:

13 FINDINGS OF FACT

14 1. On June 11, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications,  
15 Inc., filed an application for approval of an Interconnection Agreement between Qwest, Affinity  
16 Network, Inc. ("Affinity"). The term of the Agreement shall be effective upon Commission  
17 approval and remain in effect until June 30, 2003. Upon expiration, the agreement shall remain in  
18 force and effect until terminated by either party on one hundred sixty (160) days written notice.  
19 The Agreement governs the terms and conditions under which Qwest will offer Interconnection  
20 services to Affinity.

21 2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local  
22 exchange carriers to make their networks available for Interconnection and Resale by new entrants  
23 to the local exchange market. The 1996 Act provides for Interconnection and Resale agreements  
24 to be concluded by voluntary negotiation.

25 3. This Agreement between Qwest and Affinity was voluntarily negotiated, without  
26 resort to arbitration.

27 ...

28 ...



ORDER

IT IS THEREFORE ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and Affinity filed on June 11, 2001.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

**BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL,  
Executive Secretary of the Arizona Corporation  
Commission, have hereunto, set my hand and caused the  
official seal of this Commission to be affixed at the Capitol,  
in the City of Phoenix, this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
BRIAN C. McNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DRS:EAA:bsl/MAS

1 SERVICE LIST FOR: Qwest Corporation and Affinity Network, Inc.

2 DOCKET NOS. T-01051B-01-0472 and T-02664A-01-0472

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13 Mr. Christopher C. Kempley  
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16 Ms. Deborah Scott  
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